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OLC 78-2972

MEMORANDUM FOR: Personnel Officer, DCI

DCI area

SUBJECT : OLC Responses to the Agency Personnel
Evaluation Task Force Report

1. The following paragraphs contain our recommendations and comments concerning the Performance Evaluation Task Force report and are being sent to you per your request. These comments basically reflect the views of this office gained through our collective experience with previous fitness reports.

2. The Task Force recommends changing the performance reports scale from five to seven gradations. Basically we believe this will not solve the problem of having 80 percent of all personnel graded on the high side. Depending on where the Agency or various parts of the Agency feel the line demarking adequate performance is, having more gradations will simply mean that 80 percent of the personnel instead of being in the top two gradations will now be in the top three or four. We would suggest, as an alternative, consideration of having only three gradations, particularly for the overall evaluation. Each person would be rated as either proficient, outstanding or inadequate, and we believe it would be desirable to have those rated inadequate or outstanding receive special attention, either to bring them up to the proficient standard if inadequate or to make additional use of their talents if rated outstanding. We assume there would be considerable latitude for describing and grading the individual aspects of performance.

3. The Task Force recommends that the evaluations contain a section whereby the reviewer would rate the rater. We think this is overkill and would in effect be replacing the annual evaluation which each rater receives. As an alternative, we would suggest that there be a section in the paper which would require the ratee to rate certain standard attributes of the rater. This would result in the evaluation containing a mandatory indication by the ratee as to whether the rating was fair, equitable, etc. The Task Force believes that, by amending the evaluation form, it can require discussion between the rater and the ratee. We do not believe this is realistic and would suggest that strong supervisor training in this regard, as is suggested later in the Task Force report, would do more to encourage rater/ratee discussion than anything else.

MORI/CDF

4. The Task Force report recommends expanding justifications and ratings of specific duties. We believe this is a good idea but would suggest that consideration be given to some attempt to standardize in some fashion specific duties. The fact that duties now reflect actual work duties very often leaves the comparison of people by evaluation points in a quandary. It is difficult at best to rate individuals against each other when their own rating marks reflect different duties. We would suggest that some attempt be made to rate on a generic set of factors such as skill, attitude, attendance, etc.

5. The Task Force recommends that there be an interim rating report on a regular periodic basis. We believe this is an additional, unnecessary procedure. As an alternative, we would suggest that supervisors be trained and encouraged to comment on good and bad performance each time it occurs. In this way, a running record of the value of each employee's performance can be documented. We believe this is a much better approach than to merely institute a regular semi-annual interim performance report.

6. We have no objection or comment to make to any of the other recommendations of the Task Force.


Deputy Legislative Counsel

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